5th September 1960] [Mr. Chairman]

The motion was put and carried and the Bill was taken into consideration.

Clause 2 was put and carried.

Clause 1 and the Preamble were put and carried.

THE HON. SRI R. VENKATARAMAN : Mr. Chairman, Sir, I move—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill, 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be passed."

MR. CHAIRMAN : The question is—

"That the Industrial Employment (Standing Orders) (Madras Amendment) Bill, 1960 (L.A. Bill No. 14 of 1960), as passed by the Legislative Assembly, be passed."

The motion was put and carried and the Bill was passed.

(3) THE MADRAS PRESERVATION OF PRIVATE FORESTS (AMENDMENT) BILL, 1960 (L.A. BILL NO. 27 OF 1960).

* THE HON. SRI M. A. MANICKAVELU : Mr. Chairman, Sir, I move—

"That the Madras Preservation of Private Forests (Amendment) Bill [a], 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be taken into consideration."

Sir, in the year 1946 an Act was passed in order to safeguard the forest wealth of our State by preventing indiscriminate felling of trees both in estates, technically so-called under the Estates Abolition Act and also in private forests having a contiguous area of one hundred acres. The Act was re-enacted in 1949 and from time to time it has been extended. And now finally it has been extended up to 2nd December 1961.

It has now been brought to the notice of the Government that large fellings are taking place both in the Gudalur area of the Nilgiris district and other areas, and, therefore, Government by this amending Bill want to restrict the area to 30 acres. Now it is 100 acres. Hereafter even contiguous areas of 30 acres will be declared forests, and they will have to conform to the formalities such as taking permission from the Collector to fell trees and to sell, or mortgage the forests. That in effect is the main object of the Bill.

MR. CHAIRMAN : Motion moved—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be taken into consideration."

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[a] Printed as Appendix V on pages 28–29 infra.

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SRI T. P. SRINIVASAVARADAN : Mr. Chairman, Sir, I am glad that the Bill has been brought forward at least now. This indiscriminate felling of trees has been going on for the last ten years. We do not know what action the Government took all these years to prevent such cuttings. I think they were only silent spectators all these years. Many trees have been felled and converted into charcoal. Now they are bringing in this Bill. Before this is implemented, almost all the trees will have been felled. I fear that this may not serve any useful purpose at all. In the Chingleput district there were many small forests, and they have all been converted into co-called cultivable lands. Really they are not fit for any cultivation. My point is that the Government should have brought in this Bill much earlier. Hereafter at least they will, I hope, take care to see that such Bills are brought in sufficiently early to protect the forests.

DR. A. LAKSHMANASWAMI MUDALIAR : Mr. Chairman, Sir, I would like to know whether Government have taken any notice and preserved the forests which are under their own control. My information is that the forests which are under Government control are being denuded much more rapidly than the forests under private control. It is especially so in some of the hill stations. Particularly in Kodaikanal I found a long stretch of well-grown trees felled—from the Moir point right down to a distance of about six to seven miles. This was due to various things. I do not know the purpose myself. But I think it is very necessary that the Government themselves should put a prohibitory order on their own actions in regard to preservation of forests and set an example to private forest-owners to do likewise. Otherwise not only the soil would be wasted, but the rainfall also will be affected. And various other disastrous consequences are likely to follow on that. I hope there will be a Bill further to conserve forests, which are owned by the Government, and to prevent Government from issuing orders to fell such trees indiscriminately.

* SRI M. SESHACHARIAR : Mr. Chairman, in regard to the definition of forests, I would like to know whether it includes areas grown with casuarina trees. There may be cases where people might have raised over areas of 30 or 40 acres trees mainly intended for the purpose of fuel. They have to be felled after a stated period and these cannot be restricted by the Bill. Therefore Government will have to make certain exceptions in regard to such areas. There may be people who may own forests, and they may try to exploit them by denuding the forests. Imposing restrictions in such cases will be reasonable. It should not however include all trees, especially those specifically grown for purposes of fuel. I think in those cases we cannot pass such a legislation. Therefore I would request that in the matter of felling trees specifically grown for purposes of fuel, Government should provide for some exemptions. Casuarina is grown everywhere for purposes of fuel. Therefore we cannot prevent people from cultivating casuarina and felling the trees for the specific purpose of fuel.

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* SRI V. M. SURENDRA RAM : கனம் தலைவர் அவர்களே, கனம் எதிர்க் கட்சித் தலைவர் சொன்னதை நான் பூரணமாக ஆமோதிக்கிறேன். கூடலூரில் இப்போது மரங்கள் அதிகமாக வெட்டப்படுகின்றன என்று மந்திரியால் தெரிவிக்கப்படுகிறது. கூடலூரைப் பொறுத்தவரையில், அங்கு தனியார் பட்டா நிலங்கள் அதிகம் இல்லை என்று நான் சொல்லுவேன். அங்கே முக்கியமாக சர்க்கார் நிலங்கள்தான் அதிகம். காட்டு இலாகாவினர் மற்றவர்களுக்குச் சட்டம் சொல்லுகிறார்கள்; ஆனால் அவர்கள் சட்டத்தை கடைப் பிடிப்பதில்லை. நீலகிரி ஜில்லாவில் அதிக மரங்கள் இருக்கின்றன. மரங்களை வெட்டக்கூடாது என்று சொல்லப் படுகிறது. 'பாரஸ்ட் டிபார்ட்மெண்ட்'-இல் 'கூப் ஸிஸ்டம்' என்று ஒரு முறை இருக்கிறது. அந்த இலாகாவினர் காடு வளர்ப்பதற்காக நாற்று நடுகிறார்கள். அவைகளை அவர்கள் ஐந்து ஆறு வருடங்களுக்குள்ளாகவே வெட்டுகிறார்கள். அவர்கள் ஒரு சட்டத்தையும் கடைப்பிடிப்பதில்லை. நீலகிரி ஜில்லாவில் மரங்கள் குறைந்து போவதற்குக் காரணமே காட்டு இலாகாதான். தனியாருக்காகப் போடும் சட்டங்களை சர்க்காரும் கூடியவரையில் கடைப்பிடித்தால் ரொம்ப நன்றாக இருக்கும். கூடலூர் தாலூகாவில்தான் மரங்களை ரொம்ப ஏலம் போடுகிறார்கள். அங்கு இரண்டு வருஷ மரங்களையும் ஏலம் போடுகிறார்கள், 50 வருஷ மரங்களையும் ஏலம் போடுகிறார்கள். ஏலம் போடப்போவது யாருக்கும் தெரிவதில்லை. சரியான விளம்பரம் செய்வதில்லை. இதன் காரணமாக நமது மாநில விலை உயர்ந்த மரங்கள் பக்கத்து மாநிலத்திற்கு அதிக சுலபமான விலையில் போகின்றன. தனியாருக்காகப் போடும் சட்டங்களை சர்க்காரும் கூடியவரையில் கடைப்பிடித்தால் நம் மாகாண விலை உயர்ந்த மரங்கள் நமக்கு உபயோகப்படும் என்று இந்த சந்தர்ப்பத்தில் சொல்லிக்கொண்டு என் வார்த்தையை முடித்துக்கொள்ளுகிறேன்.

SRI MOHAMED RAZA KHAN : Sir, if I remember aright, the Hon. Minister has given, on a previous occasion, a promise that he will bring forward a comprehensive Bill to preserve private forests. Fortunately for the Hon. Minister, the Deputy Leader of the Opposition Sri Balasubramanya Ayyar is not here. This question of bringing forward a comprehensive Bill has been there for the last eight years. Possibly the Bill may come before the House after 1962. 3-40 p.m.

The late Dr. John used to speak a lot on the way in which our forests have been denuded. Hon. Members are well aware that our State cannot make any claim to large areas of forest at all. After the separation of Malabar from the Madras State, there is not much of forest area left in the Madras State. There are some private forests. It is our duty to preserve them. Let alone private forests. Even with regard to Government forests, I do not know whether the Government have got any definite policy regarding felling and regeneration. In the private forests, a lot of trees are being felled. Just a year or two ago, when the price of tamarind went up by

leaps and bounds, and when there was a hue and cry against the high price, it was stated that that was due to the cutting down of most of the tamarind trees. Is there no rule to prohibit the cutting of these trees? I think the Hon. Minister would have seen the number of trees that had been cut down all along the road from Madras to Vellore. I think he goes to his constituency by car. When he goes by car, he could himself see how the trees on the trunk road, which were there some years before, have all been felled. There were avenue trees up to Poonamallee, and they have all ben cut down. I do not know whether these trees belonged to the Public Works Department or the District Board. It is a very sad thing to see that first the bark of the tree is removed, and then the tree is made to become dry. Thereafter the tree is cut and removed. Some of the papers, for example, 'The Mail' brought to the notice of the public, by means of photographs, how this vandalism has taken place. But no action was taken. There is no use of talking about what has happened. Now at least the Government should undertake severe measures to prevent this indiscriminate felling of trees.

THE HON. SRI M. A. MANICKAVELU : Sir, this is only an amending Bill. The Act was passed in 1946. The Government passed that Act with the object of preventing the indiscriminate felling of trees. Even before the Act came into force, some of the zamindars had entered into contracts for the felling and removal of the trees, and so quite a large area of forests was destroyed. We even launched one or two prosecutions against the ex-zamindars as soon as we got knowledge that forests had been destroyed. We tried to take steps to prevent felling and cutting of trees.

As regards the provision to be made in respect of the area belonging to the Government themselves, I submit that generally the Government are trying to regenerate the forests. If they fell any tree, it is only to remove the dead, decrepit and old jungle tree, and plant in its place teak or other valuable tree. There is no vandalism on the part of the Government. If any tree is felled, it is only to plant a more valuable tree like cashew or teak. Many areas go under the name of forests. But they are all shrubs. If trees are not as useful as the ones which we will plant, then we cut those trees and plant more useful trees. I am aware that there was publicity about trees being felled in a particular area and I think sufficient explanation was given on the floor of this House and the other House about that. So, I shall not go into that matter now. The Government want to preserve as much forest area as possible.

With regard to the point raised by my lawyer Friend behind, I may say that we do not prevent any cutting. What the Act says is that if one is going to cut the tree, he should take the permission of the Collector. The Collector will use his discretion and see that very young and immature trees are not cut and that only the old trees are cut. There is opportunity given to cut, but the restriction is that one should take the permission of the Collec-

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tor. If a cashewnut tree has become old and does not yield any fruit, one can apply to the Collector for cutting down that tree. (Interruption.) The only difference between casuarina and cashewnut tree is the fruit of the cashewnut tree. Casuarina is grown for fuel purposes. Cutting down of any tree is not totally banned, but one has to apply for permission to cut it down.

Sir, with these words, I think hon. Members will be satisfied with the object of the Bill.

MR. CHAIRMAN : The question is—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be taken into consideration."

The motion was put and carried and the Bill was taken into consideration.

Clauses 2 to 5 were put and carried.

Clause 1 and the preamble were put and carried.

THE HON. SRI M. A. MANICKAVELU : Sir, I move—

"That Madras Preservation of Private Forests (Amendment) Bill, 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be passed."

MR. CHAIRMAN : The question is—

"That the Madras Preservation of Private Forests (Amendment) Bill, 1960 (L.A. Bill No. 27 of 1960), as passed by the Legislative Assembly, be passed."

The motion was put and carried and the Bill was passed.

(4) THE MADRAS PLACES OF PUBLIC RESORT (AMENDMENT) BILL, 1960 (L.A. BILL NO. 20 OF 1960).

THE HON. SRI M. A. MANICKAVELU : Sir, I move—

"That the Madras Places of Public Resort (Amendment) Bill,[a] 1960 (L.A. Bill No. 20 of 1960), as passed by the Legislative Assembly, be taken into consideration."

Sir, under the provisions of the Act of 1888, permission has to be got from the Chairman of the municipality. This is a very old Act. So in the circumstances prevailing then, permission had to be sought from the Chairman of the municipality. Then the Chairman of the municipality was the executive authority of the municipality. But now executive officers have been appointed for municipalities. The spirit of the provision for taking permission from the municipality

[a] Printed as Appendix VI on pages 29-33 infra.